

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Masatsugu Maeda et al. Art Unit : 1633
Serial No. : 10/006,265 Examiner : Anne Marie Sabrina Wehbe
Filed : December 3, 2001 Confirmation No.: 5055
Notice of Allowance Date: April 11, 2008
Title : NOVEL HEMOPOIETIN RECEPTOR PROTEIN, NR10

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF ALLOWANCE

In response to the Notice of Allowance mailed April 11, 2008 (the "Notice"), enclosed is a completed issue fee transmittal form PTOL-85b, a Letter Regarding Patent Term Adjustment, and an Information Disclosure Statement.

Comments on Statement of Reasons for Allowance

Applicants submit that the reasons given for allowance of the claims in the Notice of Allowance mailed April 21, 2008 (the "Notice") are not the sole reasons for allowability of the claims.

In particular, applicants do not concede that “the prior art of record does teach an isolated nucleic acid comprising a nucleotide sequence encoding a fragment of 9 or more amino acids residues of SEQ ID NOS 2, 4, or 17...”, as stated in the Notice at page 3. Applicants retain the right to pursue the broader subject matter in one or more continuation applications.

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: July 10, 2008

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Attorney's Docket No.: 14875-096001 / C2-
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The fee in the total amount of \$1740 for the required issue fee and publication fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06 1050, referencing Atty. Docket No. 14875-096001.

Respectfully submitted,

Date:

July 10, 2008

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